

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:23-CV-00398-FDW-SCR**

CHURCHILL FUNDING I, LLC,

Plaintiff,

v.

EASY FINANCIAL, LLC,

Defendant.

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ORDER

THIS MATTER is before the Court on the Parties' Joint Notice of Request for Bench Trial and Defendant's Withdrawal of Jury Demand. (Doc. No. 40). Upon review of the record, the Court finds Defendant's withdrawal of the jury demand in its Answer complies with Federal Rules of Civil Procedure. See Fed. R. Civ. P. 38(d) ("A proper demand may be withdrawn only if the parties consent."). The Court's Case Management Order, (Doc. No. 14), stands, including Section 4(a), which directs that "[t]his case shall be tried without a jury." (Id., p. 8.)

IT IS THEREFORE ORDERED that this case will proceed without a jury and counsel should be prepared to proceed to trial during the mixed trial term of court of September 9–20, 2024. Docket call will take place at 9:00 A.M. on September 9, 2024, in Courtroom #5B of the Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, North Carolina. The Court respectfully directs the Clerk of Court to update the docket accordingly.

IT IS SO ORDERED.

Signed: August 2, 2024


Frank D. Whitney
United States District Judge